

Docket No.: 238395US2/mca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Ryuzo OKADA, et al. ALLOWED: AUGUST 11, 2009

SERIAL NUMBER: 10/607,045 GROUP: 2621

FILED: June 27, 2003 EXAMINER: SENFI, BEHROOZ M.

FOR: IMAGE PROCESSING APPARATUS AND METHOD

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

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SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of August 11, 2009, Applicants respectfully submit the following comments.

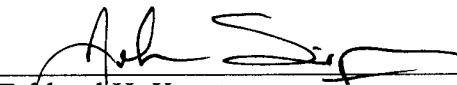
In the Examiner's Statement of Reasons for Allowance on pages 3 and 4 of the Notice of Allowance mailed August 11, 2009, paragraph 3 states in part:

The following is an examiner's statement of reasons for allowance: The prior art of the record fails to anticipate or fairly suggest, an image processing for detecting an obstacle, wherein the means for determining includes: means for selecting a candidate area group consisting of three or more obstacle candidate areas; and means for computing a fitness between the candidate area group and a predetermined plane and evaluating whether the candidate area group belongs to the predetermined plane based on the fitness, along with all other limitations as specifies in independent claim 1, and similar limitations in independent claims 9 (renumbered as claim 7), 17 (renumbered as 13) and 21 (renumbered as 16).

Although the above comment seems to be directed to Claim 1, it is respectfully submitted that independent Claims 9, 17 and 21 do not include all of the elements recited above. For example, Claim 9 recites "a detector configured" so as to "determine," "select" and "compute," Claim 17 recites a method comprising "determining" which includes "selecting" and "computing" and Claim 21 recites "means for detecting" which "selects" and "computes" and not "means for determining" which includes "means for selecting" and "means for computing," respectively. Accordingly, it is respectfully submitted that the above quoted statement applies only to independent Claim 1 (and claims dependent therefrom), and not to independent Claims 9, 17 and 21 (and claims dependent therefrom), to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

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